

AMENDED IN ASSEMBLY JULY 1, 2005

AMENDED IN ASSEMBLY MAY 31, 2005

AMENDED IN SENATE APRIL 11, 2005

SENATE BILL

No. 966

**Introduced by Committee on Local Government (Senators Kehoe
(Chair), Ackerman, Cox, Kuehl, Machado, McClintock, Perata,
Soto, and Torlakson)**

February 22, 2005

An act to add Section 19460.5 to the Education Code, to amend Sections 8654, 8680, 8680.4, 8680.5, 8682.9, 8685, ~~8686~~, 8686.4, 8687, 8687.4, 24009, 26202.1, 66442, and 66442.5 of, to amend the heading of Chapter 7.5 (commencing with Section 8680) of Division 1 of Title 2 of, to add Sections 25210.3c and 61226.5 to, to repeal Sections 1228.6, 8680.6, ~~8686.1~~, 8686.6, 8690.8, 8691, 8692, 25841, and 50279.4 of, to repeal Article 3.5 (commencing with Section 51939.50) of Chapter 5 of Part 2 of Division 1 of Title 5 of, and to repeal Chapter 3 (commencing with Section 51700) of Part 2 of Division 1 of Title 5 of, the Government Code, to add Sections 5900.11, 6064, 6272, 6860.5, and 7053.5; to the Harbors and Navigation Code, to amend Sections 2043, 2054, 11372.5, and 13868 of, and to add Sections 2853, 4766.5, 6491.5, and 32107 to, the Health and Safety Code, to add Section 1190.5 to the Military and Veterans Code, to amend Section 1463.14 of the Penal Code, to amend Sections 5557.2, 5786.9, 5786.31, 8801, 8802, 8809, 8813, 8815.1, 8815.2, 8815.4, 8819, 9313, and 26582 of, ~~and~~ to add Sections 8813.1, 8813.2, 8813.3, and 8815.5 to, and to add Chapter 3 (commencing with Section 8850), Chapter 4 (commencing with Section 8870), and Chapter 5 (commencing with Section 8890) to Division 8 of, the Public Resources Code, to amend Sections 12772, 16486, 16489,

132352, 170006, 170016, 170018, 170042, 170062, and 170084 of, to add Sections 16044, 22411, and 170041 to, and to repeal Sections 170010, 170012, and 170014 of, the Public Utilities Code, and to amend Section 21403 of, and to add Sections 30525.5, 35307, 40657.5, 50942, 55333.5, 71282, and 74228.5 to, the Water Code, relating to general government.

LEGISLATIVE COUNSEL'S DIGEST

SB 966, as amended, Committee on Local Government. Local Government Omnibus Act of 2005 and state government.

(1) Existing law prescribes the procedures for special districts to retain and destroy their old records.

This bill would expressly refer to those procedures in the principal acts of 30 types of special districts.

(2) Existing law authorizes the Calaveras County Board of Supervisors to grant a county sheriff a leave of absence without salary for not to exceed one year for a specified purpose.

This bill would repeal that authorization.

(3) Existing law authorizes the Governor to take certain actions when the President, at the Governor's request, declares a major disaster to exist in the state and other actions when both the Governor proclaims a state of emergency and the President declares an emergency or major disaster to exist in this state.

This bill would authorize the Governor to take certain actions when both the Governor proclaims a state of emergency and the President declares an emergency or major disaster to exist in this state instead of when the President at the Governor's request declares a major disaster to exist in the state.

(4) Existing law, the Disaster Assistance defines certain terms for purposes of that act.

This bill would delete the definition of street and highway project and public facilities project and would revise the definition of project and project application. The bill would rename the act the California Disaster Assistance Act.

~~(5) The act limits the state share for any eligible project to repair, restore, or replace real property of a local agency used for essential governmental services, including levees, that are damaged or destroyed by a disaster to 75% of total state eligible costs. Notwithstanding this limitation, the act provides that the state share~~

~~for projects related to the Middle River levee break in San Joaquin County that occurred in June 2004, shall be up to 100% of total state eligible costs. Existing law requires the state to assume the increased share for that levee break if the Federal Emergency Management Agency or another applicable federal agency approves the federal share of costs and requires the state not to make an allocation for a project with respect to that levee break that results in a state share of less than \$2,500.~~

~~This bill would delete the required contingency related to the approval of the federal share of costs for the Middle River levee break and the \$2,500 minimum allocation. The bill would set the state's share of cost for projects related to the levee break at 100%.~~

~~(6)–~~

(5) Existing law creates within the Disaster Response Emergency Operations Account, the 1987 Higher Education Earthquake Account into which are paid funds for assistance to eligible higher education entities that incurred losses or expenses related to earthquake activity that began on October 1, 1987.

This bill would repeal provisions related to the 1987 Higher Education Earthquake Account.

~~(7)–~~

(6) Existing law makes available for transfer by the Department of Finance to the State Highway Account in the State Transportation Fund any money in the Street and Highway Account that the Director of the Office of Emergency Services determines is not needed for immediate use for purposes of the Disaster Assistance Act. Existing law authorizes the director to advance to the Department of Transportation from the Street and Highway Account to the State Highway Account in the State Transportation Fund, funds that are necessary to provide for the restoration or repair of local federal aid system highway facilities when those funds are eligible for reimbursement with federal emergency relief funds.

This bill would repeal these provisions.

~~(8)–~~

(7) This bill would make conforming changes and delete obsolete provisions relating to disaster assistance.

~~(9)–~~

(8) Existing law authorizes a county board of supervisors to delegate to a purchasing agent or other appropriate county official the authority to lease real property for use by the county for a term not to

exceed 3 years and for a rental not to exceed \$7,500 per month and to amend those leases for improvements or alterations, as specified.

This bill would also permit the purchasing agent or other official to obtain the use of real property for the county by license and to extend the term of the lease or license to 5 years. The bill would make other conforming changes.

~~(10)–~~

(9) Existing statutory law requires that certain county offices are to be elected, in addition to those that the Constitution requires to be elected. Existing law establishes a process by which those offices that are required by statute to be elected may be converted to offices appointed by the board of supervisors.

This bill would explicitly state that those offices required by the California Constitution to be elective may not be made appointive by this process.

~~(11)–~~

(10) Existing law contains an authorization for county boards of supervisors to impose a special ad valorem property tax, now made obsolete by the passage of Proposition 13 in 1978, to pay for comfort stations.

This bill would repeal that obsolete provision.

~~(12)–~~

(11) Existing law requires that a county board of supervisors retain for at least 5 years records of any unaccepted bid or proposal for the construction or installation of any building, structure, bridge, highway or other public work.

This bill would reduce that period to 2 years.

~~(13)–~~

(12) Existing law states that city representatives to regional coastal zone conservation commissions, which have been repealed, shall be appointed by a city selection commission.

This bill would repeal this obsolete provision.

~~(14)–~~

(13) Existing law, the Joint Exercise of Powers Act authorizes 2 or more public agencies to perform jointly any program each agency is individually authorized to perform. Existing law also provides a procedure for counties and cities to jointly construct public buildings.

This bill would repeal the latter procedure.

~~(15)–~~

(14) Existing law contains alternative procedures, enacted in 1973, for local voters to consolidate the County of Sacramento with its incorporated cities if a constitutional amendment on the subject was rejected by the voters. However, the constitutional amendment was approved.

This bill would repeal those alternative procedures.

~~(16)–~~

(15) Existing law requires a certificate or statement by the county surveyor for the final map of a subdivision that lies within an unincorporated area or a certificate or statement by the city engineer or city surveyor if the subdivision lies within a city. Existing law also requires other specified information from that official.

This bill would also require that the final map contain the stamp of the seal of that official.

~~(17)–~~

(16) Existing law requires that a final map contain the engineer's or surveyor's statement.

This bill would require that the statement contain a specified declaration regarding the proper placement of survey monuments.

~~(18)–~~

(17) Existing law requires that whenever the governing board of a recreation and park district or a mosquito abatement and vector control district levies a special tax, benefit assessment, or a tax to pay for general obligation bonds, it is required to file specified documents with the State Board of Equalization.

This bill would delete that requirement.

~~(19)–~~

(18) Existing law requires the deposit of a criminal laboratory analysis fee imposed by the courts upon conviction of specified offenses into a criminalistics laboratories fund maintained by the county treasurer to be used for specified purposes. Existing law requires the county treasurer, at the conclusion of each fiscal year, to determine the amount of any funds remaining in the fund and to distribute the surplus funds pursuant a specified allocation schedule.

This bill would authorize the county board of supervisors to assign that duty of the treasurer to determine the amount of any funds remaining in the fund at the end of the fiscal year to the auditor or another county officer.

~~(20)–~~

(19) Existing law establishes the California Coordinate System which contains the substantive requirements for surveying.

This bill would revise various provisions relating to that system to include surveying technologies such as Global Positioning Systems and Geographic Information Systems and would make related changes.

~~(21)–~~

(20) Existing law grants the Kirkwood Meadows Public Utility District and the June Lake Public Utility District all of the powers of a mosquito abatement district or vector control district.

This bill would correct obsolete references to mosquito abatement districts and vector control districts in those public utility district laws.

~~(22)–~~

(21) Existing law authorizes the consolidated agency consisting of the San Diego Association of Governments, the San Diego Metropolitan Transit Development Board, and the North San Diego County Transit Development Board, to adopt bylaws and other rules.

This bill would specify the procedures for the publication of ordinances adopted by the board.

~~(23)–~~

(22) Existing provisions of the San Diego County Regional Airport Authority Act provided for administration of the San Diego County Regional Airport Authority by an interim board with prescribed membership until December 2, 2002.

This bill would repeal obsolete provisions and make technical changes to provisions pertaining to that interim board.

~~(24)–~~

(23) Existing law requires the appropriate appointing authority to fill a vacancy on the authority board occurring prior to the expiration of the member's term.

This bill would make a technical corrective change in the language of this provision.

~~(25)–~~

(24) Existing open-meeting requirements of the Ralph M. Brown Act are applicable to all local agencies, including the authority.

This bill would amend the San Diego County Regional Airport Authority Act to explicitly restate the applicability of the Ralph M. Brown Act to the authority.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) This act shall be known and may be cited as
2 the Local Government Omnibus Act of 2005.

3 (b) The Legislature finds and declares that Californians want
4 their governments to be funded efficiently and economically and
5 that public officials should avoid waste and duplication whenever
6 possible. The Legislature further finds and declares that it desires
7 to control its own costs by reducing the number of separate bills.
8 Therefore, it is the intent of the Legislature in enacting this act to
9 combine several minor, noncontroversial statutory changes
10 relating to local government into a single measure.

11 SEC. 2. Section 19460.5 is added to the Education Code, to
12 read:

13 19460.5. A district may destroy a record pursuant to Chapter
14 7 (commencing with Section 60200) of Division 1 of Title 6 of
15 the Government Code.

16 SEC. 3. Section 1228.6 of the Government Code is repealed.

17 SEC. 3.1. Section 8654 of the Government Code is amended
18 to read:

19 8654. (a) Whenever the Governor has proclaimed a state of
20 emergency and the President has declared an emergency or a
21 major disaster to exist in this state, the Governor may do any of
22 the following:

23 (1) Enter into purchases, leases, or other arrangements with
24 any agency of the United States for temporary housing units to be
25 occupied by disaster victims and make those units available to
26 any political subdivision for that purpose.

27 (2) Assist any political subdivision within which temporary
28 housing for disaster victims is proposed to be located to acquire
29 sites necessary for that temporary housing and to do all things
30 required to prepare those sites to receive and utilize temporary
31 housing units by advancing or lending any funds available to the
32 Governor from any appropriation made by the Legislature or
33 from any other source, by transmitting any funds made available
34 by any public or private agency, or by acting in cooperation with
35 the political subdivision for the execution and performance of
36 any project for temporary housing for disaster victims, and for
37 those purposes to pledge the credit of the state on terms as the

1 Governor declares necessary under the circumstances, having
2 due regard for current financial obligations of the state.

3 (3) Under regulations as the Governor shall make, temporarily
4 suspend or modify for not to exceed 60 days any public health,
5 safety, zoning, or intrastate transportation law, ordinance, or
6 regulation when by proclamation he or she declares the
7 suspension or modification essential to provide temporary
8 housing for disaster victims.

9 (4) Upon his or her determination that financial assistance is
10 essential to meet disaster-related necessary expenses or serious
11 needs of individuals or households adversely affected by a
12 Presidential declaration of a major disaster or emergency that
13 cannot be otherwise adequately met from other means of
14 assistance, accept assistance in the form of grants by the federal
15 government to fund that financial assistance, subject to those
16 terms and conditions as may be imposed upon the grant.

17 (5) Enter into an agreement with the federal government, or
18 any officer or agency thereof, pledging the state to participate in
19 the funding of any grant accepted pursuant to paragraph (1), in an
20 amount not to exceed 25 percent thereof, and, if state funds are
21 not otherwise available to the Governor, accept an advance of the
22 state share from the federal government to be repaid when the
23 state is able to do so.

24 (6) Notwithstanding any other provision of law, make
25 financial grants available to meet disaster-related necessary
26 expenses or serious needs of individuals or households adversely
27 affected by a Presidential declaration of a major disaster or
28 emergency in accordance with the Robert T. Stafford Disaster
29 Relief and Emergency Assistance Act and Sections 13600 and
30 13601 of the Welfare and Institutions Code.

31 (b) Whenever the President at the request of the Governor
32 declares a major disaster to exist in this state, the Governor may
33 do any of the following:

34 (1) Upon his or her determination that a local government will
35 suffer a substantial loss of tax and other revenues from a major
36 disaster and has demonstrated a need for financial assistance to
37 perform its governmental functions, apply to the federal
38 government, on behalf of the local government, for a loan, and
39 receive and disburse the proceeds of that loan to the local
40 government.

1 (2) Determine the amount needed by a local government to
2 restore or resume its governmental functions, and certify that
3 amount to the federal government. However, that amount shall
4 not exceed 25 percent of the annual operating budget of the local
5 government for the fiscal year in which the major disaster has
6 occurred.

7 (3) Recommend to the federal government, after reviewing the
8 matter, the cancellation of all or any part of a loan made pursuant
9 to paragraph (2) when during the period of three full fiscal years
10 immediately following the major disaster, the revenues of the
11 local government are insufficient to meet its operating expenses,
12 including disaster-related expenses incurred by the local
13 government.

14 (c) The Governor shall make those regulations as are
15 necessary in carrying out the purposes of paragraphs (4), (5), and
16 (6) of subdivision (a), including, but not limited to: standards of
17 eligibility for persons applying for benefits; procedures for
18 application and administration; methods of investigation,
19 processing, and approving applications; formation of local or
20 statewide review boards to pass upon applications; and
21 procedures for appeals.

22 (d) Any political subdivision is expressly authorized to
23 acquire, temporarily or permanently, by purchase, lease, or
24 otherwise, sites required for installation of temporary housing
25 units for disaster victims, and to enter into whatever
26 arrangements (including purchase of temporary housing units and
27 payment of transportation charges) are necessary to prepare or
28 equip the sites to utilize the housing units.

29 (e) Any person who fraudulently makes any misstatement of
30 fact in connection with an application for financial assistance
31 under this section shall, upon conviction of each offense, be
32 guilty of a misdemeanor punishable by a fine of not more than
33 five thousand dollars (\$5,000), or imprisonment for not more
34 than one year, or both.

35 (f) The terms “major disaster,” “emergency,” and “temporary
36 housing,” as used in this section, shall have the same meaning as
37 those terms are defined or used in the Robert T. Stafford Disaster
38 Relief and Emergency Assistance Act (P.L. 93-288, as amended
39 by P.L. 100-707). It is the intent of the Legislature in enacting

1 this section that it shall be liberally construed to effectuate the
2 purposes of that federal act.

3 SEC. 3.2. The heading of Chapter 7.5 (commencing with
4 Section 8680) of Division 1 of Title 2 of the Government Code is
5 amended to read:

6
7 CHAPTER 7.5. CALIFORNIA DISASTER ASSISTANCE ACT
8

9 SEC. 3.3. Section 8680 of the Government Code is amended
10 to read:

11 8680. This chapter shall be known and may be cited as the
12 California Disaster Assistance Act.

13 SEC. 3.4. Section 8680.4 of the Government Code is
14 amended to read:

15 8680.4. "Project" means the repair or restoration, or both,
16 other than normal maintenance, or the replacement of, real
17 property of a local agency used for essential governmental
18 services, including, but not limited to, buildings, levees, flood
19 control works, channels, irrigation works, streets, roads, bridges,
20 highways, and other public works, that are damaged or destroyed
21 by a disaster. "Project" also includes those activities and
22 expenses allowed under subdivisions (a), (c), (d), and (e) of
23 Section 8685. Except as provided in Section 8686.3, the
24 completion of all or part of a project prior to application for
25 funds pursuant to this chapter shall not disqualify the project or
26 any part thereof.

27 SEC. 3.5. Section 8680.5 of the Government Code is
28 amended to read:

29 8680.5. "Project application" means the written application
30 made by a local agency to the director for state financial
31 assistance, which shall include all damage to public real property
32 that resulted from a disaster within the total jurisdiction of the
33 local agency making application and other activities and
34 expenses as allowed in Section 8685.

35 SEC. 3.6. Section 8680.6 of the Government Code is
36 repealed.

37 SEC. 3.7. Section 8682.9 of the Government Code is
38 amended to read:

39 8682.9. The director shall adopt regulations, as necessary, to
40 govern the administration of the disaster assistance program

1 authorized by this chapter in accordance with the Administrative
2 Procedure Act (Chapter 3.5 (commencing with Section 11340) of
3 Part 1 of Division 3). These regulations shall include specific
4 project eligibility requirements, a procedure for local
5 governments to request the implementation of programs under
6 this chapter, and a method for evaluating these requests by the
7 Office of Emergency Services.

8 SEC. 3.8. Section 8685 of the Government Code is amended
9 to read:

10 8685. From any moneys appropriated for that purpose, and
11 subject to the conditions specified in this article, the director shall
12 allocate funds to meet the cost of any one or more projects as
13 defined in Section 8680.4. Applications by school districts shall
14 be submitted to the Superintendent of Public Instruction for
15 review and approval, in accordance with instructions or
16 regulations developed by the Office of Emergency Services, prior
17 to the allocation of funds by the director.

18 Moneys appropriated for the purposes of this chapter may be
19 used to provide financial assistance for the following local
20 agency and state costs:

21 (a) Local agency personnel costs, equipment costs, and the
22 cost of supplies and materials used during disaster response
23 activities, incurred as a result of a state of emergency proclaimed
24 by the Governor, excluding the normal hourly wage costs of
25 employees engaged in emergency work activities.

26 (b) To repair, restore, reconstruct, or replace facilities
27 belonging to local agencies damaged as a result of disasters as
28 defined in Section 8680.3. Mitigation measures performed
29 pursuant to subdivision (b) of Section 8686.4 shall qualify for
30 funding pursuant to this chapter.

31 (c) Matching fund assistance for cost sharing required under
32 federal disaster assistance programs, as otherwise eligible under
33 this act.

34 (d) Indirect administrative costs and any other assistance
35 deemed necessary by the director.

36 (e) Necessary and required site preparation costs for
37 mobilehomes, travel trailers, and other manufactured housing
38 units provided and operated by the Federal Emergency
39 Management Agency.

1 ~~SEC. 3.9. Section 8686 of the Government Code is amended~~
2 ~~to read:~~

3 ~~8686. (a) For any eligible project, the state share shall~~
4 ~~amount to no more than 75 percent of total state eligible costs.~~

5 ~~(b) Notwithstanding subdivision (a), the state share shall be up~~
6 ~~to 100 percent of total state eligible costs connected with the~~
7 ~~following events:~~

8 ~~(1) The October 17, 1989, Loma Prieta earthquake.~~

9 ~~(2) The October 20, 1991, East Bay fire.~~

10 ~~(3) The fires that occurred in southern California from October~~
11 ~~1, 1993, to November 30, 1993, inclusive.~~

12 ~~(4) The January 17, 1994, Northridge earthquake.~~

13 ~~(5) Storms that occurred in California during the periods~~
14 ~~commencing January 3, 1995, and February 13, 1995, as~~
15 ~~specified in agreements between this state and the United States~~
16 ~~for federal financial assistance.~~

17 ~~(6) The storms that occurred in California in December of~~
18 ~~1996 and early January of 1997, as specified in agreements~~
19 ~~between this state and the United States for federal financial~~
20 ~~assistance.~~

21 ~~(7) The winter storms and flooding that occurred from~~
22 ~~February 1, 1998, to April 30, 1998, inclusive, as specified in~~
23 ~~agreements between this state and the United States for federal~~
24 ~~financial assistance.~~

25 ~~(8) The wildfires that occurred in southern California~~
26 ~~commencing October 21, 2003, as specified in agreements~~
27 ~~between this state and the United States for federal financial~~
28 ~~assistance.~~

29 ~~(9) The December 22, 2003, San Simeon earthquake, as~~
30 ~~specified in agreements between this state and the United States~~
31 ~~for federal financial assistance.~~

32 ~~(10) The Middle River levee break in San Joaquin County that~~
33 ~~occurred in June 2004.~~

34 ~~(e) For any federally declared disaster subsequent to January~~
35 ~~1, 1995, that the Legislature has designated in subdivision (b),~~
36 ~~the state shall assume the increased share specified in subdivision~~
37 ~~(b) in those cases where the Federal Emergency Management~~
38 ~~Agency or another applicable federal agency has approved the~~
39 ~~federal share of costs.~~

1 ~~(d) The state shall make no allocation for any project~~
2 ~~application resulting in a state share of less than two thousand~~
3 ~~five hundred dollars (\$2,500) under this section.~~

4 ~~SEC. 3.10. Section 8686.1 of the Government Code is~~
5 ~~repealed.~~

6 ~~SEC. 3.11.—~~

7 *SEC. 3.9.* Section 8686.4 of the Government Code is
8 amended to read:

9 8686.4. (a) Whenever the local agency and the director
10 determine for projects that the general public and state interest
11 will be better served by replacing a damaged or destroyed facility
12 with a facility that will more adequately serve the present and
13 future public needs than would be accomplished merely by
14 repairing or restoring the damaged or destroyed facility, the
15 director shall authorize the replacement, including, in the case of
16 a public building, an increase in the square footage of the
17 building replaced, but the cost of the betterment of the facility, to
18 the extent that it exceeds the cost of repairing or restoring the
19 damaged or destroyed facility, shall be borne and contributed by
20 the local agency, and the excess cost shall be excluded in
21 determining the amount to be allocated by the state. The state
22 contribution shall not exceed the net cost of restoring each
23 facility on the basis of the design of the facility as it existed
24 immediately prior to the disaster in conformity with current
25 codes, specifications, and standards.

26 (b) Notwithstanding subdivision (a), when the director
27 determines there are mitigation measures that are cost effective
28 and that substantially reduce the risk of future damage, hardship,
29 loss, or suffering in any area where a state of emergency has been
30 proclaimed by the Governor, the director may authorize the
31 implementation of those measures.

32 ~~SEC. 3.12.—~~

33 *SEC. 3.10.* Section 8686.6 of the Government Code is
34 repealed.

35 ~~SEC. 3.13.—~~

36 *SEC. 3.11.* Section 8687 of the Government Code is amended
37 to read:

38 8687. Deferred payments made by a local agency pursuant to
39 Section 8686.8 shall be made by the agency:

40 (a) Out of the current revenues of the local agency.

(b) If the current revenues of a city, county, or city and county, prove insufficient to enable the agency to meet the payments, the director may order the State Controller to withhold from the local agency funds that the local agency would be entitled from the state, including, as to street and highway projects as defined by Sections 590 and 592 of the Vehicle Code, from the Motor Vehicle License Fee Fund to the extent necessary to meet the deficiency.

Those sums shall be credited to the funds in the State Treasury from which the loans were made.

~~SEC. 3.14.—~~

SEC. 3.12. Section 8687.4 of the Government Code is amended to read:

8687.4. Whenever the director determines that a local agency which would otherwise be eligible for funds under the formula of Section 8686 is unable to finance a project due to exhaustion of its financial resources because of disaster expenditures, the director may allocate funds to pay such portion of the cost of the project as the director determines is necessary to accomplish the projects.

~~SEC. 3.15.—~~

SEC. 3.13. Section 8690.8 of the Government Code is repealed.

~~SEC. 3.16.—~~

SEC. 3.14. Section 8691 of the Government Code is repealed.

~~SEC. 3.17.—~~

SEC. 3.15. Section 8692 of the Government Code is repealed.

SEC. 4. Section 24009 of the Government Code is amended to read:

24009. (a) Except as provided in subdivision (b), the county officers to be elected by the people are the treasurer, county clerk, auditor, sheriff, tax collector, district attorney, recorder, assessor, public administrator, and coroner.

(b) Except for those officers named in subdivision (b) of Section 1 of Article XI of the California Constitution, any county office that is required to be elective may become an appointive office pursuant to this subdivision. In order to change an office from elective to appointive, a proposal shall be presented to the voters of the county and approved by a majority of the votes cast

1 on the proposition. A proposal shall be submitted to the voters by
2 the county board of supervisors or it may be submitted to the
3 voters pursuant to the qualification of an initiative petition as
4 provided in Chapter 2 (commencing with Section 9100) of
5 Division 9 of the Elections Code. Any county office changed
6 from elective to appointive in accordance with this subdivision
7 may be changed back from appointive to elective in the same
8 manner.

9 SEC. 5. Section 25210.3c is added to the Government Code,
10 to read:

11 25210.3c. A county service area may destroy a record
12 pursuant to Chapter 7 (commencing with Section 60200) of
13 Division 1 of Title 6.

14 SEC. 6. Section 25841 of the Government Code is repealed.

15 SEC. 7. Section 26202.1 of the Government Code is amended
16 to read:

17 26202.1. The board may authorize the destruction or
18 disposition of any unaccepted bid or proposal for the construction
19 or installation of any building, structure, bridge, or highway or
20 other public works which is more than two years old.

21 SEC. 7.5. Section 50279.4 of the Government Code is
22 repealed.

23 SEC. 8. Chapter 3 (commencing with Section 51700) of Part
24 2 of Division 1 of Title 5 of the Government Code is repealed.

25 SEC. 9. Article 3.5 (commencing with Section 51939.50) of
26 Chapter 5 of Part 2 of Division 1 of Title 5 of the Government
27 Code is repealed.

28 SEC. 10. Section 61226.5 is added to the Government Code,
29 to read:

30 61226.5. A district may destroy a record pursuant to Chapter
31 7 (commencing with Section 60200) of Division 1 of Title 6.

32 SEC. 11. Section 66442 of the Government Code is amended
33 to read:

34 66442. (a) If a subdivision for which a final map is required
35 lies within an unincorporated area, a certificate or statement by
36 the county surveyor is required. If a subdivision lies within a city,
37 a certificate or statement by the city engineer or city surveyor is
38 required. The appropriate official shall sign, date, and, below or
39 immediately adjacent to the signature, indicate his or her

1 registration or license number with expiration date and the stamp
2 of his or her seal, state that:

3 (1) He or she has examined the map.

4 (2) The subdivision as shown is substantially the same as it
5 appeared on the tentative map, and any approved alterations
6 thereof.

7 (3) All provisions of this chapter and of any local ordinances
8 applicable at the time of approval of the tentative map have been
9 complied with.

10 (4) He or she is satisfied that the map is technically correct.

11 (b) City or county engineers registered as civil engineers after
12 January 1, 1982, shall only be qualified to certify the statements
13 of paragraphs (1), (2), and (3) of subdivision (a). The statement
14 specified in paragraph (4) shall only be certified by a person
15 authorized to practice land surveying pursuant to the Professional
16 Land Surveyors' Act (Chapter 15 (commencing with Section
17 8700) of Division 3 of the Business and Professions Code) or a
18 person registered as a civil engineer prior to January 1, 1982,
19 pursuant to the Professional Engineers' Act (Chapter 7
20 (commencing with Section 6700) of Division 3 of the Business
21 and Professions Code). The county surveyor, the city surveyor,
22 or the city engineer, as the case may be, or other public official or
23 employee qualified and authorized to perform the functions of
24 one of those officials, shall complete and file with his or her
25 legislative body his or her certificate or statement, as required by
26 this section, within 20 days from the time the final map is
27 submitted to him or her by the subdivider for approval.

28 SEC. 12. Section 66442.5 of the Government Code is
29 amended to read:

30 66442.5. The following statements shall appear on a final
31 map:

32 (a) Engineer's (surveyor's) statement:

33 This map was prepared by me or under my direction and is
34 based upon a field survey in conformance with the requirements
35 of the Subdivision Map Act and local ordinance at the request of
36 (name of person authorizing map) on (date). I hereby state that
37 all the monuments are of the character and occupy the positions
38 indicated or that they will be set in those positions before (date),
39 and that the monuments are, or will be, sufficient to enable the

1 survey to be retraced, and that this final map substantially
2 conforms to the conditionally approved tentative map.

3
4 (Signed) _____
5 R.C.E. (or L.S.) No. _____
6

7 (b) Recorder's certificate or statement.

8 Filed this ____ day of ____, 20__, at ____m. in Book ____ of
9 ____, at page ____, at the request of ____.

10
11 Signed _____
12 County Recorder
13

14 SEC. 13. Section 5900.11 is added to the Harbors and
15 Navigation Code, to read:

16 5900.11. A district may destroy a record pursuant to Chapter
17 7 (commencing with Section 60200) of Division 1 of Title 6 of
18 the Government Code.

19 SEC. 14. Section 6064 is added to the Harbors and
20 Navigation Code, to read:

21 6064. A district may destroy a record pursuant to Chapter 7
22 (commencing with Section 60200) of Division 1 of Title 6 of the
23 Government Code.

24 SEC. 15. Section 6272 is added to the Harbors and
25 Navigation Code, to read:

26 6272. A district may destroy a record pursuant to Chapter 7
27 (commencing with Section 60200) of Division 1 of Title 6 of the
28 Government Code.

29 SEC. 16. Section 6860.5 is added to the Harbors and
30 Navigation Code, to read:

31 6860.5. A district may destroy a record pursuant to Chapter 7
32 (commencing with Section 60200) of Division 1 of Title 6 of the
33 Government Code.

34 SEC. 17. Section 7053.5 is added to the Harbors and
35 Navigation Code, to read:

36 7053.5. A district may destroy a record pursuant to Chapter 7
37 (commencing with Section 60200) of Division 1 of Title 6 of the
38 Government Code.

39 SEC. 18. Section 2043 of the Health and Safety Code is
40 amended to read:

1 2043. (a) A district shall have perpetual succession.

2 (b) A board of trustees may, by a two-thirds vote of its total
3 membership, adopt a resolution to change the name of the
4 district. The name shall contain the words “mosquito abatement
5 district,” “vector control district,” “mosquito and vector control
6 district,” “mosquito control district,” or “vector management
7 district.” The resolution shall comply with the requirements of
8 Chapter 23 (commencing with Section 7530) of Division 7 of
9 Title 1 of the Government Code. Within 10 days of its adoption,
10 the board of trustees shall file a copy of its resolution with the
11 Secretary of State, the county clerk, the board of supervisors, and
12 the local agency formation commission of each county in which
13 the district is located.

14 (c) A district may destroy a record pursuant to Chapter 7
15 (commencing with Section 60200) of Division 1 of Title 6 of the
16 Government Code.

17 SEC. 19. Section 2054 of the Health and Safety Code is
18 amended to read:

19 2054. Whenever the boundaries of a district or a zone change,
20 the district shall comply with Chapter 8 (commencing with
21 Section 54900) of Part 1 of Division 2 of Title 5 of the
22 Government Code.

23 SEC. 20. Section 2853 is added to the Health and Safety
24 Code, to read:

25 2853. A district may destroy a record pursuant to Chapter 7
26 (commencing with Section 60200) of Division 1 of Title 6 of the
27 Government Code.

28 SEC. 21. Section 4766.5 is added to the Health and Safety
29 Code, to read:

30 4766.5. A district may destroy a record pursuant to Chapter
31 7 (commencing with Section 60200) of Division 1 of Title 6 of
32 the Government Code.

33 SEC. 22. Section 6491.5 is added to the Health and Safety
34 Code, to read:

35 6491.5. A district may destroy a record pursuant to Chapter 7
36 (commencing with Section 60200) of Division 1 of Title 6 of the
37 Government Code.

38 SEC. 23. Section 11372.5 of the Health and Safety Code is
39 amended to read:

1 11372.5. (a) Every person who is convicted of a violation of
2 Section 11350, 11351, 11351.5, 11352, 11355, 11358, 11359,
3 11361, 11363, 11364, 11368, 11375, 11377, 11378, 11378.5,
4 11379, 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390,
5 11391, or 11550 or subdivision (a) or (c) of Section 11357, or
6 subdivision (a) of Section 11360 of this code, or Section 4230 of
7 the Business and Professions Code shall pay a criminal
8 laboratory analysis fee in the amount of fifty dollars (\$50) for
9 each separate offense. The court shall increase the total fine
10 necessary to include this increment.

11 With respect to those offenses specified in this subdivision for
12 which a fine is not authorized by other provisions of law, the
13 court shall, upon conviction, impose a fine in an amount not to
14 exceed fifty dollars (\$50), which shall constitute the increment
15 prescribed by this section and which shall be in addition to any
16 other penalty prescribed by law.

17 (b) The county treasurer shall maintain a criminalistics
18 laboratories fund. The sum of fifty dollars (\$50) shall be
19 deposited into the fund for every conviction under Section
20 11350, 11351, 11351.5, 11352, 11355, 11358, 11359, 11361,
21 11363, 11364, 11368, 11375, 11377, 11378, 11378.5, 11379,
22 11379.5, 11379.6, 11380, 11380.5, 11382, 11383, 11390, 11391,
23 or 11550, subdivision (a) or (c) of Section 11357, or subdivision
24 (a) of Section 11360 of this code, or Section 4230 of the Business
25 and Professions Code, in addition to fines, forfeitures, and other
26 moneys which are transmitted by the courts to the county
27 treasurer pursuant to Section 11502. The deposits shall be made
28 prior to any transfer pursuant to Section 11502. The county may
29 retain an amount of this money equal to its administrative cost
30 incurred pursuant to this section. Moneys in the criminalistics
31 laboratories fund shall, except as otherwise provided in this
32 section, be used exclusively to fund (1) costs incurred by
33 criminalistics laboratories providing microscopic and chemical
34 analyses for controlled substances, in connection with criminal
35 investigations conducted within both the incorporated or
36 unincorporated portions of the county, (2) the purchase and
37 maintenance of equipment for use by these laboratories in
38 performing the analyses, and (3) for continuing education,
39 training, and scientific development of forensic scientists
40 regularly employed by these laboratories. Moneys in the

1 criminalistics laboratory fund shall be in addition to any
2 allocations pursuant to existing law. As used in this section,
3 “criminalistics laboratory” means a laboratory operated by, or
4 under contract with, a city, county, or other public agency,
5 including a criminalistics laboratory of the Department of Justice,
6 (1) which has not less than one regularly employed forensic
7 scientist engaged in the analysis of solid-dose controlled
8 substances, and (2) which is registered as an analytical laboratory
9 with the Drug Enforcement Administration of the United States
10 Department of Justice for the possession of all scheduled
11 controlled substances. In counties served by criminalistics
12 laboratories of the Department of Justice, amounts deposited in
13 the criminalistics laboratories fund, after deduction of
14 appropriate and reasonable county overhead charges not to
15 exceed 5 percent attributable to the collection thereof, shall be
16 paid by the county treasurer once a month to the Controller for
17 deposit into the state General Fund, and shall be excepted from
18 the expenditure requirements otherwise prescribed by this
19 subdivision.

20 (c) The county treasurer shall, at the conclusion of each fiscal
21 year, determine the amount of any funds remaining in the special
22 fund established pursuant to this section after expenditures for
23 that fiscal year have been made for the purposes herein specified.
24 The board of supervisors may, by resolution, assign the
25 treasurer’s duty to determine the amount of remaining funds to
26 the auditor or another county officer. The county treasurer shall
27 annually distribute those surplus funds in accordance with the
28 allocation scheme for distribution of fines and forfeitures set
29 forth in Section 11502.

30 SEC. 24. Section 13868 of the Health and Safety Code is
31 amended to read:

32 13868. (a) A district board shall keep a record of all its acts,
33 including its financial transactions.

34 (b) A district may destroy a record pursuant to Chapter 7
35 (commencing with Section 60200) of Division 1 of Title 6 of the
36 Government Code.

37 SEC. 25. Section 32107 is added to the Health and Safety
38 Code, to read:

1 32107. A district may destroy a record pursuant to Chapter 7
2 (commencing with Section 60200) of Division 1 of Title 6 of the
3 Government Code.

4 SEC. 26. Section 1190.5 is added to the Military and
5 Veterans Code, to read:

6 1190.5. A district may destroy a record pursuant to Chapter 7
7 (commencing with Section 60200) of Division 1 of Title 6 of the
8 Government Code.

9 SEC. 27. Section 1463.14 of the Penal Code is amended to
10 read:

11 1463.14. (a) Notwithstanding the provisions of Section 1463,
12 of the moneys deposited with the county treasurer pursuant to
13 Section 1463, fifty dollars (\$50) of each fine collected for each
14 conviction of a violation of Section 23103, 23104, 23152, or
15 23153 of the Vehicle Code shall be deposited in a special account
16 which shall be used exclusively to pay for the cost of performing
17 for the county, or a city or special district within the county,
18 analysis of blood, breath or urine for alcohol content or for the
19 presence of drugs, or for services related to that testing. The sum
20 shall not exceed the reasonable cost of providing the services for
21 which the sum is intended.

22 On November 1 of each year, the treasurer of each county shall
23 determine those moneys in the special account that were not
24 expended during the preceding fiscal year, and shall transfer
25 those moneys into the general fund of the county. The board of
26 supervisors may, by resolution, assign the treasurer's duty to
27 determine the amount of money that was not expended to the
28 auditor or another county officer. The county may retain an
29 amount of that money equal to its administrative cost incurred
30 pursuant to this section, and shall distribute the remainder
31 pursuant to Section 1463. If the account becomes exhausted, the
32 public entity ordering a test performed pursuant to this
33 subdivision shall bear the costs of the test.

34 (b) The board of supervisors of a county may, by resolution,
35 authorize an additional penalty upon each defendant convicted of
36 a violation of Section 23152 or 23153 of the Vehicle Code, of an
37 amount equal to the cost of testing for alcohol content, less the
38 fifty dollars (\$50) deposited as provided in subdivision (a). The
39 additional penalty authorized by this subdivision shall be
40 imposed only in those instances where the defendant has the

1 ability to pay, but in no case shall the defendant be ordered to
2 pay a penalty in excess of fifty dollars (\$50). The penalty
3 authorized shall be deposited directly with the county, or city or
4 special district within the county, which performed the test, in the
5 special account described in subdivision (a), and shall not be the
6 basis for any additional assessment pursuant to Section 1464 or
7 1465, or Chapter 12 (commencing with Section 76010) of Title 8
8 of the Government Code.

9 For purposes of this subdivision, “ability to pay” means the
10 overall capability of the defendant to pay the additional penalty
11 authorized by this subdivision, taking into consideration all of the
12 following:

13 (1) Present financial obligations, including family support
14 obligations, and fines, penalties, and other obligations to the
15 court.

16 (2) Reasonably discernible future financial position over the
17 next 12 months.

18 (3) Any other factor or factors which may bear upon the
19 defendant’s financial ability to pay the additional penalty.

20 (c) The Department of Justice shall promulgate rules and
21 regulations to implement the provisions of this section.

22 SEC. 28. Section 5557.2 of the Public Resources Code is
23 amended to read:

24 5557.2. A district may destroy a record pursuant to Chapter 7
25 (commencing with Section 60200) of Division 1 of Title 6 of the
26 Government Code.

27 SEC. 29. Section 5786.9 of the Public Resources Code is
28 amended to read:

29 5786.9. (a) A district shall have perpetual succession.

30 (b) A board of directors may, by a four-fifths vote of its total
31 membership, adopt a resolution to change the name of the
32 district. The resolution shall comply with the requirements of
33 Chapter 23 (commencing with Section 7530) of Division 7 of
34 Title 1 of the Government Code. The board of directors shall not
35 change the name of the district to the name of any living
36 individual. Within 10 days of its adoption, the board of directors
37 shall file a copy of its resolution with the Secretary of State, the
38 county clerk, the board of supervisors, and the local agency
39 formation commission of each county in which the district is
40 located.

1 (c) A district may destroy a record pursuant to Chapter 7
2 (commencing with Section 60200) of Division 1 of Title 6 of the
3 Government Code.

4 SEC. 29.1. Section 5786.31 of the Public Resources Code is
5 amended to read:

6 5786.31. Whenever the boundaries of a district or a zone
7 change, the district shall comply with Chapter 8 (commencing
8 with Section 54900) of Part 1 of Division 2 of Title 5 of the
9 Government Code.

10 SEC. 29.2. Section 8801 of the Public Resources Code is
11 amended to read:

12 8801. (a) The system of plane coordinates that has been
13 established by the United States Coast and Geodetic Survey for
14 defining and stating the positions or locations of points on the
15 surface of the earth within the State of California is based on the
16 North American Datum of 1927 and is identified as the
17 “California Coordinate System.” After January 1, 1987, this
18 system shall be known as the “California Coordinate System of
19 1927.”

20 (b) The system of plane coordinates which has been
21 established by the National Geodetic Survey for defining and
22 stating the positions or locations of points on the surface of the
23 earth within the State of California and which is based on the
24 North American Datum of 1983 shall be known as the
25 “California Coordinate System of 1983.”

26 (c) As used in this chapter:

27 (1) “NAD27” means the North American Datum of 1927.

28 (2) “CCS27” means the California Coordinate System of
29 1927.

30 (3) “NAD83” means the North American Datum of 1983.

31 (4) “CCS83” means the California Coordinate System of
32 1983.

33 (5) “USC&GS” means the United States Coast and Geodetic
34 Survey.

35 (6) “NGS” means the National Geodetic Survey or its
36 successor.

37 (7) “FGCS” means the Federal Geodetic Control
38 Subcommittee or its successor.

39 (8) “CSRC” means the California Spatial Reference Center or
40 its successor.

(9) “CSRN” means the California Spatial Reference Network, as defined by Chapter 3 (commencing with Section 8850), “Geodetic Datums and the California Spatial Reference Network.”

(10) “GPS” means Global Positioning System and includes other, similar space-based systems.

(11) “FGDC” means the Federal Geographic Data Committee or its successor.

(d) The use of the term “State Plane Coordinates” refers only to CCS27 and CCS83 coordinates.

SEC. 29.3. Section 8802 of the Public Resources Code is amended to read:

8802. For CCS27, the state is divided into seven zones. For CCS83, the state is divided into six zones. Zone 7 of CCS27, which encompasses Los Angeles County, is eliminated and the area is included in Zone 5 of CCS83.

Each zone of CCS27 is a Lambert conformal conic projection based on Clarke’s Spheroid of 1866, which is the basis of NAD27. The points of control of zones one to six, inclusive, bear the coordinates: Northing (y) = 000.00 feet and Easting (x) = 2,000,000 feet. The point of control of Zone 7 bears the coordinates: Northing (y) = 4,160,926.74 feet and Easting (x) = 4,186,692.58 feet.

Each zone of CCS83 is a Lambert conformal conic projection based on the Geodetic Reference System of 1980, which is the basis of NAD83. The point of control of each of the six zones bear the coordinates: Northing (y) = 500,000 meters and Easting (x) = 2,000,000 meters.

The area included in the following counties constitutes Zone 1 of CCS27 and CCS83: Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity.

The area included in the following counties constitutes Zone 2 of CCS27 and CCS83: Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Lake, Mendocino, Napa, Nevada, Placer, Sacramento, Sierra, Solano, Sonoma, Sutter, Yolo, and Yuba.

The area included in the following counties constitutes Zone 3 of CCS27 and CCS83: Alameda, Calaveras, Contra Costa, Madera, Marin, Mariposa, Merced, Mono, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Stanislaus, and Tuolumne.

1 The area included in the following counties constitutes Zone 4
2 of CCS27 and CCS83: Fresno, Inyo, Kings, Monterey, San
3 Benito, and Tulare.

4 The area included in the following counties and Channel
5 Islands constitutes Zone 5 of CCS27: Kern, San Bernardino, San
6 Luis Obispo, Santa Barbara (excepting Santa Barbara Island),
7 and Ventura (excepting San Nicholas Island) and the Channel
8 Islands of Santa Cruz, Santa Rosa, San Miguel, and Anacapa.

9 The area included in the following counties and Channel
10 Islands constitutes Zone 5 of CCS83: Kern, Los Angeles
11 (excepting San Clemente and Santa Catalina Islands), San
12 Bernardino, San Luis Obispo, Santa Barbara (excepting Santa
13 Barbara Island), and Ventura (excepting San Nicholas Island)
14 and the Channel Islands of Santa Cruz, Santa Rosa, San Miguel,
15 and Anacapa.

16 The area included in the following counties and Channel
17 Islands constitutes Zone 6 of CCS27 and CCS83: Imperial,
18 Orange, Riverside, and San Diego and the Channel Islands of
19 San Clemente, Santa Catalina, Santa Barbara, and San Nicholas.

20 The area included in Los Angeles County constitutes Zone 7 of
21 CCS27.

22 SEC. 29.4. Section 8809 of the Public Resources Code is
23 amended to read:

24 8809. Zone 7 coordinates shall be named, and, on any map on
25 which they are used, they shall be designated as “CCS27, Zone
26 7.”

27 On its respective spheroid of reference: (1) the standard
28 parallels of CCS27, Zone 7 are at north latitudes 33 degrees 52
29 minutes and 34 degrees 25 minutes, along which parallels the
30 scale shall be exact; and (2) the point of control of coordinates is
31 at the intersection of the zone’s central meridian, which is at 118
32 degrees 20 minutes west longitude, with the parallel 34 degrees
33 08 minutes north latitude.

34 SEC. 29.5. Section 8813 of the Public Resources Code is
35 amended to read:

36 8813. After December 31, 1999, and prior to January 1, 2006,
37 any survey or map that uses state plane coordinates shall be
38 based on, and show, field-observed direct connections to at least
39 two horizontal reference stations that are one of the following:

40 (a) Included in the CSRN.

1 (b) Located outside the State of California and meet all the
2 requirements for inclusion in the CSRN, except for the
3 requirement that they be inside California.

4 (c) Shown on a subdivision map, record of survey, or a map
5 filed with the county surveyor by a public officer and whose
6 horizontal positions have been determined by Global Positioning
7 System survey methods in accordance with first order or better
8 FGCS standards and specifications and whose state plane
9 coordinates are based on field-observed direct, nontrivial
10 connections to at least two stations that are included in
11 subdivision (a) or (b).

12 SEC. 29.6. Section 8813.1 is added to the Public Resources
13 Code, to read:

14 8813.1. After December 31, 2005, any survey that uses or
15 establishes a CCS83 value or values shall meet all of the
16 following requirements:

17 (a) The survey shall be referenced to and shall have
18 field-observed statistically independent connections to one or
19 more horizontal reference stations that is or are one of the
20 following:

21 (1) CSRN station.

22 (2) Geodetic control station located outside of the State of
23 California that meets all the requirements for inclusion in the
24 CSRN except that the station is outside California.

25 (3) Existing CCS83 station that:

26 (A) Is shown on a map filed with the applicable county
27 surveyor by a public officer, subdivision map, corner record, or
28 record of survey.

29 (B) Meets all the requirements for inclusion in the CSRN,
30 except that the station and its data are not published by NGS or
31 CSRC.

32 (C) Has an accuracy, conforming to the applicable CSRN
33 requirements, stated for the station's value.

34 (4) Existing CCS83 station that:

35 (A) Is shown on a public map or document that is compiled
36 and maintained by the applicable county surveyor.

37 (B) Meets all the requirements for inclusion in the CSRN,
38 except that the station and its data are not published by NGS or
39 CSRC.

1 (C) Has an accuracy, conforming to the applicable CSRN
2 requirements, stated for the station's value.

3 (b) If an accuracy is to be claimed for the CCS83 value or
4 values established, the claimed accuracy shall be an accuracy
5 standard published by FGDC or FGCS.

6 SEC. 29.7. Section 8813.2 is added to the Public Resources
7 Code, to read:

8 8813.2. After December 31, 2005, if an accuracy is claimed
9 for a CCS83 value or values, the survey that established the value
10 or values shall be documented on a map, record of survey, corner
11 record, or other document that includes, in addition to other
12 requirements in this chapter, the following:

13 (a) For each CCS83 station, the resultant CCS83 value or
14 values.

15 (b) The FGDC or FGCS accuracy standard of the CCS83
16 value or values established. FGDC accuracies shall be identified
17 as either a local or network accuracy.

18 (c) Additional written data that justifies the FGDC or FGCS
19 accuracy standard shown. Such additional written data shall
20 include observation equipment, control diagram including
21 required field-observed statistically independent connection or
22 connections, adjustment methodology and software used, a
23 summary of the procedures used or a reference to published
24 commonly accepted procedural specifications, final residuals or
25 closures, and other data essential for others to evaluate the
26 survey.

27 SEC. 29.8. Section 8813.3 is added to the Public Resources
28 Code, to read:

29 8813.3. (a) After December 31, 2005, when a survey that
30 uses or establishes a CCS83 value or values is shown on any
31 document, the station or stations to which the CCS83 value or
32 values are referenced and connected and the CCS83 value or
33 values and the published or stated accuracy or accuracies of that
34 reference station or stations shall be shown also on the document.

35 (b) If a CCS83 survey begins before January 1, 2006, and is
36 not completed by that date, the CCS83 survey may be completed
37 in accordance with Sections 8813 and 8815.4 of this chapter or
38 Sections 8813.1, 8813.2, and 8813.3 of this chapter, at the
39 surveyor's option. All other applicable provisions of this chapter
40 remain applicable.

1 SEC. 29.9. Section 8815.1 of the Public Resources Code is
2 amended to read:

3 8815.1. When CCS83 coordinates are shown on any map,
4 corner record, or other document, the map, corner record, or
5 document shall state the epoch (date), in a decimal year format to
6 two decimal places, that is the basis of the coordinate values
7 shown. The epoch shall be shown on the map, corner record, or
8 other document by an appropriate note on the map, corner record,
9 or document or by adding a suffix in parentheses after CCS83
10 that states the epoch; examples, “CCS83 (1991.35),” “CCS83
11 (2002.00),” and so forth.

12 SEC. 29.10. Section 8815.2 of the Public Resources Code is
13 amended to read:

14 8815.2. The epoch for a survey using CCS83 coordinate shall
15 be the published NGS or CSRC epoch of a published coordinate
16 for a controlling station used for that survey. Such surveys
17 performed after December 31, 1999, shall be based on the
18 “1991.35” epoch or a subsequent published NGS or CSRC
19 epoch.

20 SEC. 29.11. Section 8815.4 of the Public Resources Code is
21 amended to read:

22 8815.4. When a purported order of accuracy of second order
23 or better is shown for CCS83 coordinate values on any map,
24 corner record, or other document prior to January 1, 2006, that
25 map, corner record, or other document shall use the order of
26 accuracy as defined by the FGCS. If an FGCS order of accuracy
27 is claimed for a survey or a map, it shall be justified by additional
28 written data that shows equipment, procedures, closures,
29 adjustments, and a control diagram.

30 SEC. 29.12. Section 8815.5 is added to the Public Resources
31 Code, to read:

32 8815.5. When CCS83 coordinates are shown on any map,
33 corner record, or record of survey, a mapping angle, combined
34 grid factor, and the elevation used to determine the combined
35 grid factor shall be shown on the map, corner record, or record of
36 survey for at least one representative point.

37 SEC. 29.13. Section 8819 of the Public Resources Code is
38 amended to read:

1 8819. This chapter does not prohibit the use of new surveying
2 technologies or techniques for which FGCS specifications or
3 other accepted specifications have not yet been published.

4 SEC. 29.14. Chapter 3 (commencing with Section 8850) is
5 added to Division 8 of the Public Resources Code, to read:

6
7 CHAPTER 3. GEODETIC DATUMS AND THE CALIFORNIA
8 SPATIAL REFERENCE NETWORK
9

10 8850. The official geodetic datums and spatial reference
11 network for use within the State of California shall be as defined
12 by this chapter.

13 8851. As used in this chapter:

14 (a) "NGS" means National Geodetic Survey or its successor.

15 (b) "CSRC" means California Spatial Reference Center or its
16 successor.

17 (c) "NAD83" means North American Datum of 1983.

18 (d) "NAVD88" means North American Vertical Datum of
19 1988.

20 (e) "ITRF" means International Terrestrial Reference Frame as
21 defined by the International Earth Rotation Service.

22 (f) "GPS" means Global Positioning System and includes
23 other, similar space-based systems.

24 (g) "FGDC" means Federal Geographic Data Committee or it
25 successor.

26 (h) "FGCS" means the Federal Geodetic Control
27 Subcommittee or its successor.

28 (i) "CSRN" means California Spatial Reference Network.

29 8852. The official geodetic datum to which horizontal
30 positions and ellipsoid heights are referenced within the State of
31 California shall be NAD83.

32 8853. The official geodetic datum to which orthometric
33 heights are referenced within the State of California shall be
34 NAVD88.

35 8854. When horizontal positions, ellipsoid heights, or
36 orthometric heights are shown on a document, the document
37 shall show the geodetic datum to which the values are referenced,
38 whether NAD83, NAVD88, ITRF, or another datum.

1 8855. The official geodetic reference network for use within
2 the State of California shall be the CSRN as defined by this
3 chapter.

4 8856. The geodetic control stations within the State of
5 California having horizontal positions conforming to all of the
6 following requirements shall be part of the CSRN. The horizontal
7 positions shall:

- 8 (a) Be referenced to NAD83.
- 9 (b) Have been determined by GPS survey methods.
- 10 (c) Be published by NGS or CSRC.
- 11 (d) Have a NGS or CSRC published network accuracy of two
12 centimeters or better as defined by FGDC or a NGS or CSRC
13 published accuracy of first order or better as defined by FGCS.
- 14 (e) Have a NGS or CSRC published horizontal velocity or a
15 horizontal velocity that can be determined using procedures and
16 values published by NGS or CSRC.

17 8857. The geodetic control stations within the State of
18 California having ellipsoid heights conforming to all of the
19 following requirements shall be part of the CSRN. The ellipsoid
20 heights shall:

- 21 (a) Be referenced to NAD83.
- 22 (b) Have been determined by GPS survey methods.
- 23 (c) Be published by NGS or CSRC.
- 24 (d) Have a NGS or CSRC published network accuracy of five
25 centimeters or better as defined by FGDC or a NGS or CSRC
26 published accuracy of fourth order, class II, or better as defined
27 by FGCS.

28 8858. The geodetic control stations within the State of
29 California having orthometric heights determined by GPS survey
30 methods and conforming to all of the following requirements
31 shall be part of the CSRN. The orthometric heights shall:

- 32 (a) Be based on NAD83 and referenced to NAVD88.
- 33 (b) Be published by NGS or CSRC.
- 34 (c) Have a NGS or CSRC published network accuracy of five
35 centimeters or better as defined by FGDC.

36 8859. The geodetic control stations within the State of
37 California having orthometric heights determined by differential
38 leveling survey methods and conforming to all of the following
39 requirements shall be part of the CSRN. The orthometric heights
40 shall:

- 1 (a) Be referenced to NAVD88.
- 2 (b) Be published by NGS or CSRC.
- 3 (c) Have a NGS or CSRC published accuracy of third order,
- 4 class II or better as defined by FGCS.

5 8860. The use of the NAD83, NAVD88, and CSRN by any
6 person, firm, or governmental agency is optional.

7 8861. The provisions of this chapter shall not be construed to
8 prohibit the appropriate use of other datums, including ITRF, and
9 other geodetic reference networks.

10 SEC. 29.15. Chapter 4 (commencing with Section 8870) is
11 added to Division 8 of the Public Resources Code, to read:

12
13 CHAPTER 4. CALIFORNIA GEODETIC COORDINATES
14

15 8870. Geodetic coordinates within the State of California that
16 are based on the North American Datum of 1983 and conforming
17 to the provisions of this chapter shall be known as “California
18 Geodetic Coordinates of 1983.”

19 8871. As used in this chapter:

- 20 (a) “NGS” means National Geodetic Survey or its successor.
 - 21 (b) “CSRC” means California Spatial Reference Center or its
22 successor.
 - 23 (c) “NAD83” means North American Datum of 1983.
 - 24 (d) “GPS” means Global Positioning System and includes
25 other, similar spaced-based systems.
 - 26 (e) “FGDC” means the Federal Geographic Data Committee
27 or its successor.
 - 28 (f) “FGCS” means the Federal Geodetic Control
29 Subcommittee or its successor.
 - 30 (g) “CSRN” means California Spatial Reference Network as
31 defined by Chapter 3 (commencing with Section 8850),
32 “Geodetic Datums and the California Spatial Reference
33 Network.”
 - 34 (h) “CGC83” means California Geodetic Coordinates of 1983.
- 35 8872. The phrase “California Geodetic Coordinates of 1983”
36 or any abbreviation thereof, such as “CGC83,” shall be used only
37 in reference to geodetic coordinates based on NAD83 and
38 conforming to the provisions of this chapter.
- 39 8873. CGC83 values shall be expressed as latitude, longitude,
40 or ellipsoid height values or as Cartesian coordinates (x, y, z).

1 When Cartesian coordinates are used, the symbols and
2 conventions utilized shall be the same as that used by NGS.

3 8874. CGC83 latitude and longitude values shall be expressed
4 in degrees, minutes, seconds, and decimals of a second, or
5 degrees and decimals of a degree. CGC83 ellipsoid height values
6 shall be expressed in meters and decimals of a meter or feet and
7 decimals of a foot. When ellipsoid height values are expressed in
8 feet, the “U.S. Survey Foot” (one foot equals 1200/3937 meters)
9 shall be used as the standard foot. CGC83 Cartesian coordinate
10 values shall be expressed in meters and decimals of a meter.

11 When CGC83 values are stated on any document, the unit of
12 measure shall be clearly stated.

13 8875. The survey that establishes a CGC83 value or values
14 shall meet all of the following requirements:

15 (a) The survey shall be referenced to and shall have
16 field-observed statistically independent connections to one or
17 more appropriate reference stations that is one of the following:

18 (1) CSRN station.

19 (2) Geodetic control station located outside of the State of
20 California that meets all the requirements for inclusion in the
21 CSRN except that the station is outside California.

22 (3) Existing CGC83 station that:

23 (A) Is shown on a map filed with the applicable county
24 surveyor by a public officer, subdivision map, corner record, or
25 record of survey.

26 (B) Meets all the requirements for inclusion in the CSRN
27 except that the station and its data are not published by NGS or
28 CSRC.

29 (C) Has an accuracy, conforming to the applicable CSRN
30 requirements, stated for the station’s value.

31 (4) Existing CGC83 station that is shown on a public map or
32 document that:

33 (A) Is compiled and maintained by the applicable county
34 surveyor.

35 (B) Meets all the requirements for inclusion in the CSRN
36 except that the station and its data are not published by NGS or
37 CSRC.

38 (C) Has an accuracy, conforming to the applicable CSRN
39 requirements, stated for the station’s value.

1 (b) If an accuracy is to be claimed for the CGC83 value or
2 values established, the claimed accuracy shall be an accuracy
3 standard published by FGDC or FGCS.

4 8876. If an accuracy is claimed for a CGC83 value or values,
5 the survey that established the value or values shall be
6 documented on a map, record of survey, corner record, or other
7 document that includes, at a minimum, the following:

8 (a) For each CGC83 station, the resultant CGC83 value or
9 values.

10 (b) The epoch (date), in a decimal year format to two decimal
11 places, that is the basis of the CGC83 values shown. The epoch
12 shall be the published NGS or CSRC epoch of a controlling
13 station for the survey.

14 If the published epochs for the horizontal positions of the
15 controlling stations are not the same, appropriate adjustments
16 shall be made to the horizontal values of the controlling stations
17 so that said values of all the controlling stations are at one
18 consistent epoch published by NGS or CSRC. These adjustments
19 in the coordinates of the controlling stations shall be made in
20 accordance with procedures and values published by NGS or
21 CSRC.

22 (c) The FGDC and FGCS accuracy standard of the CGC83
23 value or values established. FGDC accuracies shall be identified
24 as either a local or network accuracy.

25 (d) Additional written data that justifies the FGDC or FGCS
26 accuracy standard shown. Such additional written data shall
27 include observation equipment, control diagram including
28 required field-observed statistically independent connection or
29 connections, adjustment methodology and software used, a
30 summary of the procedures used or a reference to published
31 commonly accepted procedural specifications, final residuals or
32 closures, and other data essential for others to evaluate the
33 survey.

34 8877. When a CGC83 value or values are shown on any
35 document, the document shall include the following:

36 (a) A statement that the geodetic coordinate value or values
37 shown are a CGC83 value or values; exceptions shall be noted.

38 (b) The station or stations to which the CGC83 value or values
39 are referenced and connected and the geodetic coordinate value

1 or values and the published or stated accuracy or accuracies of
2 said reference station or stations.

3 (c) The epoch of the CGC83 value or values shown. The
4 epoch shall conform to provisions of subdivision (b) of Section
5 8876.

6 8878. The use of CGC83 by any person, firm, or
7 governmental agency is optional.

8 8879. This chapter does not impair or invalidate land titles,
9 legal descriptions, or jurisdictional or land boundaries and,
10 further, this chapter does not impair or invalidate references to,
11 or the use of, datums or latitude, longitude, or ellipsoid height
12 values or other geodetic coordinate values that do not conform to
13 this chapter except as specified in Section 8872.

14 8880. This chapter does not prohibit the use of new surveying
15 technologies or techniques for which FGCS specifications or
16 other accepted specifications have not yet been published.

17 SEC. 29.16. Chapter 5 (commencing with Section 8890) is
18 added to Division 8 of the Public Resources Code, to read:

19
20 CHAPTER 5. CALIFORNIA ORTHOMETRIC HEIGHTS
21

22 8890. Orthometric heights within the State of California that
23 are based on the North America Vertical Datum of 1988 and
24 conforming to the provisions of this chapter shall be known as
25 “California Orthometric Heights of 1988.” Orthometric heights
26 are commonly referred to as “elevations.”

27 8891. As used in this chapter:

28 (a) “NGS” means National Geodetic Survey or its successor.

29 (b) “CSRC” means California Spatial Reference Center or its
30 successor.

31 (c) “NAVD88” means North American Vertical Datum of
32 1988.

33 (d) “GPS” means Global Positioning System and includes
34 other, similar space-based systems.

35 (e) “FGDC” means the Federal Geographic Data Committee
36 or its successor.

37 (f) “FGCS” means the Federal Geodetic Control
38 Subcommittee or its successor.

39 (g) “CSRN” means California Spatial Reference Network as
40 defined by Chapter 3 (commencing with Section 8850),

1 “Geodetic Datums and the California Spatial Reference
2 Network.”

3 (h) “COH88” means California Orthometric Heights of 1988.

4 8892. The phrase “California Orthometric Heights of 1988”
5 or any abbreviation, such as “COH88,” thereof shall be used only
6 in reference to orthometric heights based on NAVD88 and
7 conforming to the provisions of this chapter.

8 8893. COH88 values shall be expressed in meters and
9 decimals of a meter or in feet and decimals of a foot. When
10 COH88 values are expressed in feet, the “U.S. Survey Foot,”
11 (one foot equals 1200/3937 meters) shall be used as the standard
12 foot.

13 8894. COH88 values that are determined from differential
14 leveling surveys shall be known as “leveled COH88” values.
15 COH88 values that are determined from GPS surveys and the
16 appropriate application of a geoid model shall be known as
17 “derived COH88” values.

18 8895. When a geoid model is used to determine derived
19 COH88 values, it shall be the latest geoid model published by
20 NGS.

21 8896. The accuracy of derived COH88 values may be
22 improved by applying a “local orthometric height correction” to
23 the geoid height determined from the latest, applicable geoid
24 model published by NGS.

25 8897. The survey that establishes a COH88 value or values
26 shall meet all of the following requirements:

27 (a) The survey shall be referenced to and shall have
28 field-observed statistically independent connections to one or
29 more orthometric height reference stations that is or are one of
30 the following:

31 (1) CSRN station.

32 (2) Geodetic control station located outside of the State of
33 California that meets all the requirements for inclusion in the
34 CSRN except that the station is outside California.

35 (3) Existing COH88 station that (A) is shown on a map filed
36 with the applicable county surveyor by a public officer,
37 subdivision map, corner record, or record of survey, (B) meets all
38 the requirements for inclusion in the CSRN, except that the
39 station and its data are not published by NGS or CSRC, and (C)

1 has an accuracy, conforming to the applicable CSRN
2 requirements, stated for the station's value.

3 (4) Existing COH88 station that is shown on a public map or
4 document that (A) is compiled and maintained by the applicable
5 county surveyor, (B) meets all the requirements for inclusion in
6 the CSRN except that the station and its data are not published by
7 NGS or CSRC, and (C) has an accuracy, conforming to the
8 applicable CSRN requirements, stated for the station's value.

9 (b) If an accuracy is to be claimed for the COH88 value or
10 values established, the claimed accuracy shall be an accuracy
11 standard published by FGDC or FGCS.

12 8898. If an accuracy is claimed for a COH88 value or values,
13 the survey that established the value or values shall be
14 documented on a map, record of survey, corner record, or other
15 document that includes, at a minimum, the following:

16 (a) For each COH88 station, the resultant COH88 value.

17 (b) For each individual COH88 value, whether it is a leveled
18 COH88 or a derived COH88 value.

19 (c) For leveled COH88 values, the beginning and ending dates
20 of the observations used to determine the values.

21 (d) For derived COH88 values, the date of the NGS geoid
22 model used to determine the values.

23 (e) When derived COH88 values are shown and reflect the
24 application of a "local orthometric height correction model,"
25 written data that justifies the model's validity. Such written data
26 shall include a summary of the procedures, computations,
27 analysis, and validation process used to develop the model.

28 (f) For derived COH88 values, the epoch (date), in a decimal
29 year format to two decimal places, that is the basis of the COH88
30 values shown. Said epoch shall be the published NGS or CSRC
31 epoch of a controlling station for the survey.

32 (g) The FGDC or FGCS accuracy standard of the COH88
33 value or values established. FGDC accuracies shall be identified
34 as either a local or network accuracy.

35 (h) Additional written data that justifies the FGDC or FGCS
36 accuracy standard shown. Such additional written data shall
37 include observation equipment, control diagram including
38 required field-observed statistically independent connection or
39 connections, adjustment methodology and software used, a
40 summary of the procedures used or a reference to a published

1 commonly accepted procedural specifications, final residuals or
2 closures, and other data essential for others to evaluate the
3 survey.

4 8899. When a COH88 value or values are shown on any
5 document, the document shall include the following:

6 (a) A statement that the orthometric height or heights shown
7 are a COH88 value or values; exceptions shall be noted.

8 (b) The station or stations to which the COH88 value or values
9 are referenced and connected and the orthometric height value or
10 values and the published or stated accuracy or accuracies of said
11 referenced station or stations.

12 8900. The use of COH88 by any person, firm, or
13 governmental agency is optional.

14 8901. This chapter does not impair or invalidate land titles,
15 legal descriptions, or jurisdictional or land boundaries and,
16 further, this chapter does not impair or invalidate references to,
17 or the use of, datums, elevations, orthometric heights, or other
18 height values that do not conform to this chapter except as
19 specified in Section 8892 in this chapter.

20 8902. This chapter does not prohibit the use of new surveying
21 technologies or techniques for which FGCS specifications or
22 other accepted specifications have not yet been published.

23 SEC. 30. Section 9313 of the Public Resources Code is
24 amended to read:

25 9313. (a) All meetings of the directors shall be open to the
26 public. All records of the district shall be open to public
27 inspection during business hours.

28 (b) A district may destroy a record pursuant to Chapter 7
29 (commencing with Section 60200) of Division 1 of Title 6 of the
30 Government Code.

31 SEC. 31. Section 26582 of the Public Resources Code is
32 amended to read:

33 26582. (a) A district shall keep a record of the proceedings of
34 its meetings. A district is subject to the provisions of the Ralph
35 M. Brown Act (commencing with Section 54950 of the
36 Government Code).

37 (b) A district may destroy a record pursuant to Chapter 7
38 (commencing with Section 60200) of Division 1 of Title 6 of the
39 Government Code.

1 SEC. 32. Section 12772 of the Public Utilities Code is
2 amended to read:

3 12772. A district may destroy a record pursuant to Chapter 7
4 (commencing with Section 60200) of Division 1 of Title 6 of the
5 Government Code.

6 SEC. 33. Section 16044 is added to the Public Utilities Code,
7 to read:

8 16044. A district may destroy a record pursuant to Chapter 7
9 (commencing with Section 60200) of Division 1 of Title 6 of the
10 Government Code.

11 SEC. 34. Section 16486 of the Public Utilities Code is
12 amended to read:

13 16486. (a) In addition to all other powers, excepting
14 telephone service, authorized by this division, the Kirkwood
15 Meadows Public Utility District may acquire, construct, own, and
16 operate public parking facilities and cable television facilities and
17 may provide snow removal and road maintenance services for all
18 roads open to the public, including, but not limited to, public
19 roads and roads offered for dedication but not accepted, within
20 the district. Prior to providing any snow removal or road
21 maintenance services, the district shall obtain the consent of any
22 public agency owning the roads. Notwithstanding Section 16467,
23 the facilities and services provided in this subdivision need not
24 be operated on a self-sustaining, revenue-producing basis.
25 Revenue to defray the cost of the facilities and services may be
26 raised in any manner authorized by this division.

27 (b) The Kirkwood Meadows Public Utility District may
28 exercise all of the powers of a mosquito abatement district or
29 vector control district, as set forth in the Mosquito Abatement
30 and Vector Control District Law (Chapter 5 (commencing with
31 Section 2000) of Division 3 of the Health and Safety Code),
32 within the service area of the Kirkwood Meadows Public Utility
33 District.

34 SEC. 35. Section 16489 of the Public Utilities Code is
35 amended to read:

36 16489. The June Lake Public Utility District may exercise all
37 of the powers of a mosquito abatement district or vector control
38 district, as set forth in the Mosquito Abatement and Vector
39 Control District Law (Chapter 5 (commencing with Section

2000) of Division 3 of the Health and Safety Code), within the service area of the June Lake Public Utility District.

SEC. 36. Section 22411 is added to the Public Utilities Code, to read:

22411. A district may destroy a record pursuant to Chapter 7 (commencing with Section 60200) of Division 1 of Title 6 of the Government Code.

SEC. 36.1. Section 132352 of the Public Utilities Code is amended to read:

132352. (a) The consolidated agency may adopt bylaws and other rules necessary to carry out its responsibilities.

(b) The clerk of the board shall cause a proposed ordinance or proposed amendment to an ordinance, and any ordinance adopted by the board, to be published at least once, in a newspaper of general circulation published and circulated in the board's area of jurisdiction.

(c) The publication of an ordinance, as required by subdivision (b), may be satisfied by either of the following actions:

(1) The board may publish a summary of a proposed ordinance or proposed amendment to an ordinance. The summary shall be prepared by a person designated by the board. The summary shall be published and a certified copy of the full text of the proposed ordinance or proposed amendment shall be posted in the office of the clerk of the board at least five days prior to the board meeting at which the proposed ordinance or amendment is to be adopted. Within 15 days after adoption of the ordinance or amendment, the board shall publish a summary of the ordinance or amendment with the names of those board members voting for and against the ordinance or amendment and the clerk shall post in the office of the clerk a certified copy of the full text of the adopted ordinance or amendment along with the names of those board members voting for and against the ordinance or amendment.

(2) If the person designated by the board determine that it is not feasible to prepare a fair and adequate summary of the proposed ordinance or amendment, and if the board so orders, a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the board's area of jurisdiction shall be published at least five days prior to the board meeting at which the proposed ordinance or amendment is to be

1 adopted. Within 15 days after adoption of the ordinance or
2 amendment, a display advertisement of at least one-quarter of a
3 page shall be published. The advertisement shall indicate the
4 general nature of, and provide information regarding, the adopted
5 ordinance or amendment, including information sufficient to
6 enable the public to obtain copies of the complete text of the
7 ordinance or amendment, and the names of those board members
8 voting for and against the ordinance or amendment.

9 SEC. 36.2. Section 170006 of the Public Utilities Code is
10 amended to read:

11 170006. For the purposes of this division, the following terms
12 have the following meanings, unless the context requires
13 otherwise.

14 (a) The “authority” means the San Diego County Regional
15 Airport Authority established under this division.

16 (b) The “board” means the governing board of the authority
17 established as specified in Section 170016.

18 (c) The “interim board” means the limited term board
19 established as specified in Section 170012.

20 (d) The “port” means the San Diego Unified Port District
21 established under the San Diego Unified Port District Act
22 (Chapter 67 of the Statutes of 1962, First Extraordinary Session).

23 (e) The “San Diego International Airport” means the airport
24 located at Lindbergh Field in the County of San Diego.

25 (f) (1) The “east area cities” mean the Cities of El Cajon,
26 Lemon Grove, La Mesa, and Santee.

27 (2) The “north coastal area cities” mean the Cities of Carlsbad,
28 Del Mar, Encinitas, Oceanside, and Solana Beach.

29 (3) The “north inland area cities” mean the Cities of Poway,
30 Escondido, Vista, and San Marcos.

31 (4) The “south area cities” mean the Cities of Coronado,
32 Imperial Beach, Chula Vista, and National City.

33 SEC. 36.3. Section 170010 of the Public Utilities Code is
34 repealed.

35 SEC. 36.4. Section 170012 of the Public Utilities Code is
36 repealed.

37 SEC. 36.5. Section 170014 of the Public Utilities Code is
38 repealed.

39 SEC. 36.6. Section 170016 of the Public Utilities Code is
40 amended to read:

1 170016. (a) The permanent board shall be established
2 pursuant to this section. The board shall consist of nine members,
3 as follows:

4 (1) The Mayor of the City of San Diego, or a member of the
5 city council designated by the mayor to be his or her alternate.

6 (2) A member of the public appointed by the Mayor of the
7 City of San Diego. The initial term for this member shall be two
8 years.

9 (3) (A) The initial appointment for the north coastal cities
10 shall be the mayor of the most populous city, as of the most
11 recent decennial census, among the north coastal area cities. If
12 that mayor declines to serve, he or she shall appoint a member of
13 the public who is a resident of one of the north coastal area cities.
14 The initial term for this member shall be four years.

15 (B) For subsequent appointments, the mayors of the north
16 coastal cities shall select the member. The appointment shall
17 alternate between a mayor and a member of the public from these
18 cities to follow the initial appointment made under this
19 paragraph.

20 (4) (A) If the member serving under paragraph (3) is a
21 mayor, the initial appointment from the north inland cities shall
22 be a member of the public selected by the mayors of the north
23 inland area cities from one of those cities.

24 (B) If the person serving under paragraph (3) is not a mayor,
25 then the mayors of the north inland area cities shall select a
26 mayor of a north inland area city. The initial term of this member
27 is two years.

28 (C) For subsequent appointments, the mayors of the north
29 inland area cities shall select the member. The appointment shall
30 alternate between a mayor and a member of the public from these
31 cities to follow the initial appointment made under this
32 paragraph.

33 (5) (A) The mayor of the most populous city, as of the most
34 recent decennial census, among the south area cities. If that
35 mayor declines to serve, he or she shall appoint a member of the
36 public who is a resident of one of south area cities. The initial
37 term for this member shall be six years.

38 (B) For subsequent appointments, the mayors of the south area
39 cities shall select the member. The appointment shall alternate
40 between a mayor and a member of the public from these cities to

1 follow the initial appointment made under this paragraph. The
2 initial term of this member is four years.

3 (6) (A) If the member serving under paragraph (5) is a
4 mayor, then a member of the public shall be selected by the
5 mayors of the east area cities from one of those cities.

6 (B) If the person serving under paragraph (5) is not a mayor,
7 then the mayors of the east area cities shall select a mayor of an
8 east area city. The initial term of this member is four years.

9 (C) For subsequent appointments, the mayors of the east area
10 cities shall select the member. The appointment shall alternate
11 between a mayor and a member of the public from these cities to
12 follow the initial appointment made under this paragraph.

13 (7) The three remaining positions shall be the members of the
14 executive committee appointed pursuant to Section 170028.

15 (b) The board shall appoint the chair, who shall serve as chair
16 for a two-year portion of his or her term as a board member. A
17 member may be appointed to consecutive terms as chair.

18 (c) (1) Members of the first board appointed pursuant to
19 subdivision (a), other than members identified in paragraph (7) of
20 subdivision (a), shall be appointed on or before October 31,
21 2002, and shall be seated as the board on December 2, 2002.

22 (2) Any appointment not filled by the respective appointing
23 authority on or before December 1, 2002, shall be appointed by
24 the Governor, consistent with the eligibility requirements of this
25 section for that membership position.

26 (d) (1) After the initial term, all terms shall be four years,
27 except as otherwise required under subdivision (b) of Section
28 170018.

29 (2) The expiration date of the term of office shall be the first
30 Monday in December in the year in which the term is to expire.

31 SEC. 36.7. Section 170018 of the Public Utilities Code is
32 amended to read:

33 170018. (a) The appointing authority for a member whose
34 term has expired shall appoint that member's successor for a full
35 term of four years.

36 (b) The membership of any member serving on the board as a
37 result of holding another public office shall terminate when the
38 member ceases holding the other public office.

1 (c) Any vacancy in the membership of the board shall be filled
2 for the remainder of that unexpired term by a person selected by
3 the respective appointing authority for that position.

4 SEC. 36.8. Section 170041 is added to the Public Utilities
5 Code, to read:

6 170041. Meetings of the board are subject to the Ralph M.
7 Brown Act, Chapter 9 (commencing with Section 54950) of Part
8 1 of Division 2 of Title 5 of the Government Code.

9 SEC. 36.9. Section 170042 of the Public Utilities Code is
10 amended to read:

11 170042. (a) The board may act only by ordinance or
12 resolution for the regulation of the authority and undertaking all
13 acts necessary and convenient for the exercise of the authority's
14 powers.

15 (b) The authority may adopt and enforce rules and regulations
16 for the administration, maintenance, operation, and use of its
17 facilities and services.

18 (c) (1) A person who violates a rule, regulation, or ordinance
19 adopted by the board is guilty of a misdemeanor punishable
20 pursuant to Section 19 of the Penal Code, or an infraction under
21 the circumstances set forth in paragraph (1) or (2) of subdivision
22 (d) of Section 17 of the Penal Code.

23 (2) The authority may employ necessary personnel to enforce
24 this section.

25 (d) A majority of the membership of the board shall constitute
26 a quorum for the transaction of business.

27 SEC. 36.10. Section 170062 of the Public Utilities Code is
28 amended to read:

29 170062. (a) The authority shall develop a transition plan to
30 facilitate the transfer of the San Diego International Airport to
31 the authority pursuant to this section. To facilitate the preparation
32 of a transition plan, the authority and the port shall jointly
33 commission a certified audit to determine the financial condition
34 of the San Diego International Airport, including, but not limited
35 to, the obligations of the airport and the reasonableness of the
36 overhead charges being paid by the airport to the port. Upon
37 completion of the audit, the port and the authority shall balance
38 all accounts, including, but not limit to, loans and other
39 obligations between the two agencies.

1 (b) The port shall cooperate in every way to facilitate the
2 transfer of the San Diego International Airport to the authority.

3 (c) In the preparation of the transition plan, priority shall be
4 given to ensuring continuity in the programs, services, and
5 activities of the San Diego International Airport.

6 (d) (1) The transfer of the San Diego International Airport to
7 the authority shall be completed on or after December 16, 2002.

8 (2) The terms of the transfer of San Diego International
9 Airport to the authority shall include, but are not limited to, the
10 following:

11 (A) The authority shall request and receive a finding by the
12 Federal Aviation Administration that it is an eligible airport
13 sponsor.

14 (B) The authority shall comply with federal regulations,
15 including, but not limited to, Part 139 of Title 14 of the Code of
16 Federal Regulations (certification and operation) and Part 107 of
17 Title 14 of the Code of Federal Regulations (security).

18 (C) Consistent with the obligations set forth in this section, the
19 authority may, in its sole discretion, from time to time, enter into
20 agreements with the port for services including, but not limited
21 to, operations, maintenance, and purchasing, as the authority may
22 find necessary or beneficial to facilitate the orderly transfer and
23 continued operation of San Diego International Airport.

24 (D) The authority shall have no obligation to purchase or
25 procure any services, facilities, or equipment from or through the
26 port. At no time shall the authority be obligated to purchase
27 auditing, public affairs, and governmental relations, strategic
28 planning, legal, or board support services from the port.
29 However, the authority may elect to obtain these services and
30 support in agreement with the port.

31 (E) Performance of all these services shall be subject to the
32 direction and control of the authority, and shall be provided in
33 accordance with specifications, policies, and procedures as
34 communicated by the authority to the port from time to time. In
35 all cases, the port shall provide services of sufficient quality,
36 quantity, reliability, and timeliness to ensure that the authority
37 can continue the operation, maintenance, planning and
38 improvement of and for San Diego International Airport
39 consistent with the standards and practices under which the
40 airport is operated on the effective date of the act that added this

1 subparagraph or higher standards as the authority may adopt, or
2 as may be required in the authority's judgment to meet the
3 requirements of federal or state law, or the needs of the users of
4 the airport for the safe, secure, and efficient operation of the
5 airport. The authority also, from time to time, may establish
6 performance standards for and may conduct financial or
7 performance audits, or both, of all services provided by the port
8 and all charges or claims for payment for the services provided.

9 (F) Services provided by the Harbor Police shall in no event
10 be of less quality than the standard established for airport police
11 services by the three other largest airports, based on annual
12 passengers, in this state. The port shall cooperate fully, at its own
13 cost, in any financial or performance audit, or both, conducted
14 by, or on behalf of, the authority or by any government agency
15 having jurisdiction.

16 (G) The authority shall reimburse the port for the actual and
17 reasonable direct costs, including, but not limited to, an
18 appropriate allocation of general and administrative expenses
19 associated with the provision of that service, incurred by the port
20 to deliver services actually provided to the authority in
21 accordance with the standards and requirements described in this
22 section. The port shall request payment for services on a monthly
23 basis. Those requests shall provide details regarding each service
24 or element thereof for which payment is requested as the
25 authority reasonably may request. The authority shall have the
26 right to review and approve any request for payment for those
27 services. Payment shall be due and payable 30 days after the
28 request provided all necessary supporting documentation is
29 received by the authority.

30 (H) Upon the completion of the transfer, the authority shall
31 hire existing port staff assigned to the aviation division of the
32 port as employees of the authority. The authority may hire
33 additional staff, as needed, to fulfill its responsibilities. The
34 authority shall make every responsible effort to fill necessary
35 positions from port staff which may be affected by the transfer of
36 the airport.

37 (e) The transfer may not in any way impair any contracts with
38 vendors, tenants, employees, or other parties.

39 (f) The San Diego Harbor Police Department shall remain
40 under the jurisdiction of the San Diego Unified Port District, and

1 employees shall incur no loss of employment or reduction in
2 wages, health and welfare benefits, seniority, retirement benefits
3 or contributions made to retirement plans, or other terms and
4 conditions of employment as a result of enactment of this
5 division. The San Diego Harbor Police Department shall have the
6 exclusive contract for law enforcement services at San Diego
7 International Airport during that time as the airport continues to
8 operate at the Lindbergh Field, and peace officers of the Harbor
9 Police shall remain employees of the port.

10 SEC. 36.11. Section 170084 of the Public Utilities Code is
11 amended to read:

12 170084. The authority shall assume and be bound by the
13 terms and conditions of employment set forth in any collective
14 bargaining agreement or employment contract between the port
15 and any labor organization or employee affected by the creation
16 of the authority, as well as the duties, obligations, and liabilities
17 arising from, or relating to, labor obligations imposed by state or
18 federal law upon the port. Aviation division employees of the
19 port affected by this division shall become employees of the
20 authority and shall suffer no loss of employment or reduction in
21 wages, health and welfare benefits, seniority, retirement benefits
22 or contributions made to retirement plans, or any other term or
23 condition of employment as a result of the enactment of this
24 division. No employee of the port shall suffer loss of
25 employment or reduction in wages or benefits as a result of the
26 enactment of this division.

27 SEC. 37. Section 21403 of the Water Code is amended to
28 read:

29 21403. A district may destroy a record pursuant to Chapter
30 7 (commencing with Section 60200) of Division 1 of Title 6 of
31 the Government Code.

32 SEC. 38. Section 30525.5 is added to the Water Code, to
33 read:

34 30525.5. A district may destroy a record pursuant to Chapter
35 7 (commencing with Section 60200) of Division 1 of Title 6 of
36 the Government Code.

37 SEC. 39. Section 35307 is added to the Water Code, to read:

38 35307. A district may destroy a record pursuant to Chapter 7
39 (commencing with Section 60200) of Division 1 of Title 6 of the
40 Government Code.

1 SEC. 40. Section 40657.5 is added to the Water Code, to
2 read:

3 40657.5. A district may destroy a record pursuant to Chapter
4 7 (commencing with Section 60200) of Division 1 of Title 6 of
5 the Government Code.

6 SEC. 41. Section 50942 is added to the Water Code, to read:

7 50942. A district may destroy a record pursuant to Chapter 7
8 (commencing with Section 60200) of Division 1 of Title 6 of the
9 Government Code.

10 SEC. 42. Section 55333.5 is added to the Water Code, to
11 read:

12 55333.5. A district may destroy a record pursuant to Chapter
13 7 (commencing with Section 60200) of Division 1 of Title 6 of
14 the Government Code.

15 SEC. 43. Section 71282 is added to the Water Code, to read:

16 71282. A district may destroy a record pursuant to Chapter 7
17 (commencing with Section 60200) of Division 1 of Title 6 of the
18 Government Code.

19 SEC. 44. Section 74228.5 is added to the Water Code, to
20 read:

21 74228.5. A district may destroy a record pursuant to Chapter
22 7 (commencing with Section 60200) of Division 1 of Title 6 of
23 the Government Code.